IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4544 OF 2005

Shri Ahmed Ebrahim Poonawala ..Petitioner.

Versus

The Secretary, Bakul Highway CHS Ltd. ..Respondents.

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Mr. Nitin Tonge for the Petitioner.

Mr. Vijay Patil for the Respondent No.1.

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**CORAM : S. A. BOBDE, J.**

**DATED : 12TH SEPTEMBER, 2005.**

**P.C.:**

1. Rule returnable forthwith.

Mr. Vijay Patil learned Advocate waives service of rule for the respondent No.1.

2. By consent, following order is passed.

ORDER

i. On depositig half of the amount of Rs. 68,849/- including interest upto 31st August, 2005

within a period of one week from today, the impunged order shall stand set aside.

ii. The Divisional Joint Registrar shall decide the matter on merits after hearing the petitioner, who shall appear before the Divisonal Joint Registrar on 28th September, 2005. The Divisional Joint Registrar shall decide the matter within six weeks from that date.

3. Rule disposed of in the above terms.

DT.12.09.05 (S.A.BOBDE,J)